

Atty. Docket: 1879 CON III (203-2045 CON III)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Racenet et al.

EXAMINER: Camtu Nguyen

SERIAL NO.: 10/718,195

ART UNIT: 3743

FILED: November 20, 2003

DATED: October 15, 2007

FOR: TROCAR SEAL SYSTEM

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 § 1.313(c) TO
WITHDRAW APPLICATION FROM ISSUE

Sir:

Petitioner seeks to have the above-identified application withdrawn from issue in order to give the Examiner the opportunity to consider the references cited in the Supplemental Information Disclosure Statement mailed by Applicants on May 12, 2006. The following facts are in support of this petition.

Applicants filed a Request for Continued Examination (RCE) on February 27, 2006. On May 12, 2006, Applicants filed a Supplement Information Disclosure Statement (IDS) before the date of mailing of a first Action on the merits of this application. A Notice of Allowance was then mailed by the United States Patent and Trademark Office on June 6, 2006.

Applicants subsequently received an Office Communication dated September 12, 2007 indicating that the IDS filed May 12, 2006 lacked a Statement Under 37 CFR 1.97(e). Although, as indicated by the facts presented hereinabove, Applicants believe the IDS was

Appl. No. 10/751,579

Communication dated September 25, 2007

Reply to Office Communication mailed September 13, 2007

properly filed without a certification, Applicants hereby submit this Petition. Also submitted with this Petition are an RCE and a copy of the previously filed Information Disclosure Statement.

In view of the above showing of good and sufficient reasons why withdrawal of the application is necessary, the applicants hereby petition that the instant application be withdrawn from issue. Please charge the fees required under 37 C.F.R. § 1.17 (h) to Deposit Account **21-0550**. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



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